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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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MICHAEL CURLEY, 87-A-8500,

Plaintiff,

05-CV-0724Sr

-v-

MEMORANDUM and ORDER

MR. T.J. MURRAY, et al.,

Defendants.

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Plaintiff, **Michael Curley**, who is an inmate at the **Gowanda Correctional Facility**, has submitted to the Court a complaint and an affidavit of poverty seeking permission to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a). Plaintiff has also submitted a signed authorization, pursuant to 28 U.S.C. § 1915(b), authorizing the institution in which the plaintiff is confined to pay a \$150.00 filing fee from plaintiff's inmate account. See the attached Notice. However, effective **February 7, 2005**, the filing fee for civil actions increased from \$ **150.00** to \$ **250.00** for all civil actions filed on or after **February 7, 2005**. Before this action can proceed the Court must receive another signed Authorization from plaintiff authorizing the institution in which the plaintiff is confined to pay the full **\$250.00** filing fee, instead of the \$ 150.00 filing fee previously authorized by plaintiff.

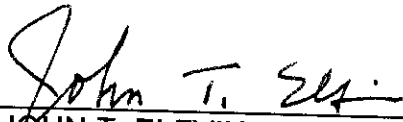
Accordingly, the plaintiff has until **November 16, 2005** to (a) furnish the Court with another signed Authorization (a copy of which is attached hereto) authorizing the institution in which the plaintiff is confined to pay the full \$250.00 filing fee or (b) pay the full filing fee of \$250.00. If the Court does not receive another signed Authorization or the full fee on or before such date, **this action will be dismissed without further notice** to the plaintiff

and, if any part of the filing fee has already been submitted to the Court from the institution, it will be returned to the institution for deposit in the plaintiff's inmate account.

IT IS HEREBY ORDERED, that the Clerk of the Court is to close this case as dismissed after **November 16, 2005** if the plaintiff has not provided the Court with another signed Authorization or not paid the full filing fee by that date.

SO ORDERED.

DATED: Buffalo, New York  
October 19, 2005

  
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JOHN T. ELFVIN  
UNITED STATES DISTRICT JUDGE